

To Marry Again

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Marriage was a flexible arrangement in traditional Hawaiian culture. A woman could have more than one husband and a man more than one wife. The *alii* (chiefs) had as many partners as their status, desires, and resources could support. Marriage was dissolved by simply ending the relationship.¹

Seamen and traders who came to the Islands enthusiastically adopted the Hawaiian custom. Only when New England Protestant missionaries came to remake society, was the idea of a monogamous and permanent marriage relationship introduced. Monogamous marriage was quickly adopted by the *alii*: it first became fashion and then law. Commoners followed their example, but found that permanent marriage did not fit them comfortably. High rates of divorce, desertion and adultery were a recurring theme of despair in the Chief Justices' annual reports. This instability of marriage made the subject of legal restraints to remarriage a concern of courts and legislatures through the middle years of the 19th Century.

This article will look at restraints against remarriage in 19th-Century Hawaiian law. Initially laws on marriage and remarriage were based on Biblical concepts. Later laws were influenced by the conditions of Hawaiian society, primarily the threat of depopulation. As restraints in the law became less severe, the Supreme Court became the forum to decide whether individuals would be allowed to remarry. During the last quarter of the century, after Kalakaua and Liliuokalani came to the throne, remarriage restraints were abandoned.

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The American Protestant missionaries saw Christian marriage as a fundamental building block of society. As the missionary Sheldon Dibble said, "The institution of Christian marriage, lying at the foundation of the family constitution, with all its relative endearments and obligations, had, of course, a very important bearing upon the social condition, civilization and happiness of the people." He felt Christian marriage brought order out of chaos in Hawaiian society and was "an important step upward towards being a people and a moral and Christian nation." The missionaries shaped early Hawaiian law on marriage, divorce, and remarriage to conform to an ideal Christian relationship founded on the Scriptures.²

In preaching about what was proper in regard to marriage, the missionaries were trying to correct what they regarded as "a prevalent evil." Hiram Bingham spoke to his Kawaiahae congregation in 1824 of "men's casting off one woman and taking another, and of one woman's casting off a husband & taking a new one, as being contrary to the original institution of heaven and a violation of an express command of Christ." By that time Keopuolani, the most sacred person in Hawaii, had made the choice of Christian monogamy. Following the teachings of her Tahitian Christian tutors, she decided, "it is wrong to have two husbands, and I desire but one. Hoapili is my husband, hereafter, my only husband." After her death in 1823, Hoapili, the Governor of Maui, married the chiefess Kalekua in the first Christian ceremony among the *alii*.³

In the ancient culture, the only public marriage ceremony had surrounded the mating of chiefs to protect the hereditary mana and power of their heirs. Now, based on information from the missionaries, the chiefs adopted the social patterns of a New England marriage ceremony. Opiia, who had been one of Kamehameha's wives, and Kapule, a chiefess of Kauai, were married in a double wedding ceremony to the chiefs Laanui and Kaiui. After the church service, a supper party was held at the home of Kaahumanu, the *Kuhina Nui* (Premier). The table was set in western style. Missionary Levi Chamberlain thought the scene was pleasing and found the "behavior of all was consistent with the strictest propriety."⁴

More perplexing for the missionaries was the transition from the old ways to the new among the *makaainana* (commoners). Should couples who presented themselves for admission to the church go through a marriage ceremony to regularize their relationship? The missionaries decided to take the pragmatic view that if they acted as though the former relationships did not count, the people involved might feel the

same way. Levi Chamberlain summed up missionary thought when he wrote that the people might "consider their former engagements of little force and feel at liberty to seek new husbands or wives when they please." The missionaries devised a system of two different kinds of ceremonies. Couples who were living together under the old custom would come to the minister, make an open declaration and have their names recorded. Others who were to be newly married were given a formal ceremony.⁵

After Wednesday prayer meetings all the couples who wanted to be married stood up together and "by once repeating the form, each person assenting separately to the marriage ceremony." By 1828 Christian marriage had become so popular that the Reverend William Richards at Lahaina explained he had married over two hundred couples in the previous two months, and if he did not marry them in groups, he would have to spend half a day a week celebrating marriages.⁶

In the summer of 1825, while Kaahumanu and several of the high chiefs were undergoing a time of study and probation prior to being accepted as members of the church, the *alii* promulgated their first law on marriage. A crier was sent out in Honolulu proclaiming that "husbands must not forsake wives, neither wives their husbands." By 1826 Governor Hoapili had publicly forbidden the old form of marriage on Maui. In 1828 Kapiolani and Naihe, chiefs on the Kona coast of Hawaii, declared that marriages must be performed by ministers or they would not be valid. People who lived together without going through the required ceremony were made to work on the public roads.⁷

The thoughts of the missionaries on marriage, divorce, and remarriage were first put into the form of resolutions at their General Meeting at Kailua-Kona in 1826. These were practical working guidelines to assist each member in performing his ministerial duties. They were liberal in offering more than a single cause for divorce and did not include any restraint against the remarriage of divorced persons.

Resolved, that an aggrieved party justly complaining of adultery, or wilful desertion, such as neither private instruction, the voice of the church, nor the civil authority can remedy, may, by consent of the proper authorities, be married to another.

Resolved, that the deserting party cannot contract a new marriage conformable with the word of God, until the deserted be known to be fairly divorced.

These resolutions also indicate that the missionaries followed the New England view that marriage was a civil as well as religious institution.⁸

The missionaries' sense of propriety, based on New England social custom, had to be modified occasionally to fit a Hawaiian situation.

For example, a man presented himself to be married again shortly after his wife's death. In New England it would have been correct to have a year's interval of mourning before remarriage. But the woman this man wished to marry had been one of his wives under the old custom. When he became a Christian he had put her aside and kept only one wife. As a widower, he wanted to renew his former relationship. The missionaries considered his action "a proper one and justified his being married sooner than under other circumstances would have been deemed proper."⁹

By the time the first national law on marriage and divorce was proclaimed jointly by Kaahumanu and the King in 1829, a theologically more doctrinaire view on remarriage had been adopted. The law *No Ka Moe Kolohe* (On Mischievous Sleeping) began with the subject of divorce. If a wife or husband slept with someone else, the innocent partner could apply to the Governor for a divorce. The law then went on to place a restraint on the remarriage of the guilty party. The innocent person could marry again but the guilty person would not be at liberty to marry again until after the death of the former partner.¹⁰

Hawaiian law was not brought into complete conformity with scriptural interpretation until it was rewritten in 1835. At that time another restraint was added. The guilty person in a divorce for reasons of adultery did not regain single status as long as the former partner lived. That meant that a relationship with the guilty person, even after the divorce, and even after the former partner had married someone else, would still be considered adultery and punished as such.¹¹

These remarriage restraints were not created by the missionaries to meet the special case of their Hawaiian congregations, but were adopted from the theological views of Timothy Dwight, president of Yale University. Dwight worried that the increased frequency of divorce in America meant "the whole community will be thrown, by laws made in open opposition to the Laws of God, into a general prostitution." Dwight felt, "No difference exists between this prostitution, and that which customarily bears the name, except that one is licensed, the other is unlicensed, by man." In following Dwight back to a strict interpretation of the Scriptures, the Hawaiian missionaries were adopting the most conservative view prevalent in New England, a view that Dwight's home state of Connecticut refused to accept in its own laws.¹²

Resolutions formulated by the Hawaiian missionaries in 1835, based on Dwight's ideas, began with the belief that marriage was "instituted in the beginning by God himself between one man and one woman, and was to be of perpetual obligation." This they based on Genesis 2:18,

21-24 and Matthew 19:4-6. As they reasoned it out, Christ had abrogated the laws of Moses on divorce and left only one ground for divorce, that of adultery "as if with a desire to restore the institution to its original purity." This interpretation was based on Matthew 19:9, "Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery: and whoso marrieth her which is put away doth commit adultery." By construction, the missionaries went beyond that text to the commandment "Thou shall not commit adultery" to decide that the same rule applied to the husband. They interpreted Matthew to mean that the remedy for the innocent party was divorce, with the opportunity for remarriage. The guilty party would be governed by both Matthew and Roman 7:3 "If while her husband liveth she be married to another man she shall be called an adulteress; but if her husband be dead she is free from that law." Therefore the guilty party was not allowed to marry again during the natural life of the former partner.¹³

These remarriage restraints were taken seriously. The high chief Kamanawa was divorced by his wife because of his repeated acts of adultery. He wanted to marry again. The law said he could not while his former wife was alive. The only escape from this dilemma he could think of was to poison his former wife, for which he was hanged.¹⁴

A comprehensive marriage and divorce law was passed by the King and chiefs in the initial legislative session under the first constitution (1840). This law attached remarriage restraints to several specific causes of divorce. When one of the couple was convicted of adultery, the other could apply to the Governor for a divorce and was allowed to marry again. There was no provision in the law for the guilty party, which by implication meant they were not allowed to remarry. In the divorce certificates issued by Kekuanaoa, Governor of Oahu, in the early 1840s, the guilty party was warned that he or she was not to remarry as long as the former partner was alive. The Governor sometimes added his own further Biblical restraint on guilty wives. In the divorce decree he gave an admonition from the story of Sodom and Gomorrah, saying that the woman must "remain a pillar of salt." No equivalent instruction was given to guilty husbands.¹⁵

In cases of criminal banishment for four years the person was considered legally dead. The partner could apply to the Island Governor for permission to remarry. If the person who had been banished returned to find the former partner married to someone else, that person could apply to the Governor to remarry. The Governor would "watch his character for one year, and if he live a moral life and is faultless" then a

certificate for remarriage could be issued. Was it the fact that the prisoner had done his time for the adultery or was it the legal death that wiped the slate clean and allowed the former prisoner to remarry when others were not permitted? No indication remains of the legislature's intent.¹⁶

For other divorce grounds in the 1840 law there were accompanying remarriage restraints. A woman whose husband was absent in a foreign land for four years needed to get permission from the Governor to remarry. If her former partner returned, she had to go back to him. The most severe restraint was imposed on a person who attempted to kill his or her partner. After divorce, that person was prohibited from ever remarrying.¹⁷

Then without explanation, in 1843 the legislature allowed all who had been divorced before the passage of the act of 1840, to remarry. The scarcity of written records before the formal setting up of a court system in 1840, may have contributed to this decision.¹⁸

John Ricord, the first trained lawyer to practice in the Islands, drafted the acts to organize the government and some basic statutes in 1845-46. The divorce law he wrote was patterned after that of his home state of New York. It introduced annulments, separations, alimony and other property considerations, and reintroduced adultery as the sole grounds for divorce. But the law had little influence. Chief Justice William L. Lee reported that the governors did not understand the 1846 law so they ignored it, continuing to give divorces based on the 1840 law.¹⁹

Lee had become familiar with the operations of the divorce laws, because under the 1847 Act to Organize the Judiciary, the Chief Justice was required to handle, at chambers, all divorces that did not go before the island Governors.²⁰

An emotional letter to the *Polynesian* newspaper on January 3, 1852 accused the island governors of "outraging decency, subverting morals, violating the preceptory law of God . . . bringing guilt upon the nation and contempt upon its administration" in their handling of divorces. The writer detailed several cases in which one of the marriage partners was granted a divorce by a Governor without the other partner even knowing that the proceedings were taking place. He cited a case where "a quiet and orderly woman" living on the outer islands found that when her husband came back from Oahu, he did not come back to her, but to one of their neighbors. The husband had gotten a divorce in Honolulu without her knowledge. The new couple went off to the big city and got married. In another case both the man and woman had been convicted of adultery, the man once and the woman three times. The woman went to the Governor and got a divorce. In these cases the person asking for

the divorce also obtained the right to marry again, leaving the other partner subject to possible penalties for adultery.

Even if a Governor tried to be strict, it was difficult to retain control when a petitioner was desperate and persistent. Lonoakeawe of Hamakua, Hawaii, asked Governor Kapeau for permission to remarry in May, 1850. George L. Kapeau, Governor of Hawaii, was the first governor to come from the commoners. He had been trained at the mission school at Lahainaluna and was both concerned and bureaucratic. The Governor told Lonoakeawe to ask the Secretary of Interior. The Secretary of Interior apparently sent him back to the Governor, who held a hearing in December of that year in Kohala.²¹

At the hearing Lonoakeawe admitted that he had been the one guilty of adultery in his divorce. Under the law he was not supposed to be eligible for remarriage. He pleaded to be allowed to marry again because "I am not able to do anything in the house, there is no one who will make clothes, I have many troubles and I am in great need." Lorenzo Lyons, the missionary in that district, told the Governor that Lonoakeawe "is behaving correctly now." Lyons was not able to be present at the hearing, so the Governor refused to accept the testimony because it was made to him orally. He would not consider it legal unless it was written. Lonoakeawe then asked two men who were present to be sworn as his witnesses. They refused to swear to his innocence because he "looked after the woman he committed adultery with." The Governor then passed the case on to the King who sent it before the Privy Council, who in turn sent it back to the Governor. Two years later Lonoakeawe was given permission to marry again. No Privy Council pardon for his former lapse has been found. How he obtained permission to remarry is not clear.²²

Remarriage regulations were not clear even to government officials who administered the system. Richard Armstrong, Minister of Public Education whose department handled marriage records, wrote to Chief Justice Lee asking whether in cases of divorce "can the guilty party marry again, agreeably to the law of this Kingdom?" In drafting a reply, Lee said "the matter is left in some doubt by the existing laws, and should be made clear by the legislature." He then crossed out that answer and rewrote his letter to say, "I am of the opinion that in cases of divorce for adultery the guilty party cannot marry again, at least so long as the innocent party is living." He decided that the pertinent section in the old laws (Chapter 10, section 7) had never clearly been repealed. Also, a subsequent law of 1852 said that all marriages would be void if a former wife or husband was still living, unless the former marriage had been dissolved for some cause other than adultery.²³

In his 1852 report to the Legislature, Chief Justice Lee took notice of the charges of irregularities and uncertainties in matters of divorce. He recommended that the power to grant divorces be placed in fewer hands. He also reported that he had heard 318 divorce cases at chambers in two years and granted only 81. Most of the cases involved desertion of husbands to California or wives who had gone to the seaports and refused to return home. In those cases no adultery could be proven. The Chief Justice felt it was "cruel" to say to an abandoned husband or wife that the law afforded them no remedy. He felt the inevitable result was that they would "fly to adultery." He recommended that the causes for divorce be extended to other grounds. The legislature asked him to write the new divorce law.²⁴

The law drafted by Chief Justice Lee went back to the more liberal grounds for divorce of the 1840 law, including adultery, five years absence in a foreign country, and imprisonment for five years. His law broadened the definition of adultery to include five years desertion as "presumptive evidence of adultery." He continued the bar against remarriage for the party guilty of adultery during the lifetime of the innocent former partner. By changing the definition of the word "adultery," remarriage restraints were extended to include desertion. Since either adultery or desertion was the cause in about eighty percent of the divorces, this was the high point of the effect of the law in prohibiting remarriage.²⁵

Three years later in 1856, the legislature suddenly turned around and began to retreat on restraints to remarriage. The justices of the Supreme Court were given power to approve of remarriage for people who had been divorced earlier and those who would be divorced in the future. If the guilty person in a divorce had not gotten into trouble "with the law relating to divorce" for a period of five years, he or she could ask permission to remarry.²⁶

This change of policy came out of a growing fear that the Hawaiian race was dying out. A devastating small pox epidemic in 1853 caused a high death rate of 105 persons per 1000 in the population. Kamehameha IV told the legislature that the decrease in population was "a subject, in comparison with which all others sink into insignificance; for our first and great duty is that of self-preservation." He asked the legislature to pass laws that would help stay the decrease.²⁷

The Civil Code of 1859 lowered the probationary period for the guilty person in a divorce from five to three years. During that time the applicant was not to have been guilty of fornication or adultery. In 1866 all restraints were lifted and either party to a divorce was allowed to

marry again. The 168 remarriage petitions heard before the supreme court justices in the ten years between 1856 and 1866 show that permission was granted almost routinely. The person wishing to remarry would come with two or three witnesses. These did not need to be disinterested witnesses. They were often family members, parents, brothers, sisters, neighbors, and sometimes even the former spouse who would vouch for the good behavior of the petitioner over the number of years required. Only five requests or 3% of the total were turned down: four because there were children born illegitimately after the divorce, and one because the required number of years had not yet passed.²⁸

Of the several thousand divorcees eligible to request remarriage only 168 took advantage of the loosening of restraints to ask permission to marry again. Testimony given by the witnesses indicates the norms of respectability people felt the Westerners who presided on the Supreme Court would require. These norms included descriptions of the kind of "Victorian" propriety valued in 19th-Century Western society. And they included Western society's double standard, differentiating between the sex behavior expected of the male and female, a difference that had not been present in Hawaiian society before the introduction of monogamous Christian marriage.

Although men and women brought suits for divorce in equal numbers, the remarriage requests came 70% from women and only 30% from men. This may indicate that women felt the need to go through the required formalities more than men did. Of the men who went through the procedure more than half were *haoles* (foreigners), twenty-five Caucasians and four Chinese. All of the women petitioners were Hawaiian. Nearly one-third of the petitioners claimed church membership or readmission to the church since the adultery that had been cause in the divorce. This applied to women and men in equal proportions. In testifying about the men, witnesses felt it was sufficient to report that the man had not been convicted of adultery during the number of years required. Occasionally, the concept that ownership of property or working at a job lent respectability, entered into testimony.

For the women, witnesses felt it necessary to comment on how the woman was supported and her personal deportment as well as the fact that she had not been convicted of adultery in the time intervening since the divorce. Most witnesses indicated whom the woman was living with—usually parents or brothers or sisters. If she was working for a living, they reported how hard she worked and the nature of her work. For example, "she's worked hard, she has been good, gone to get *wauke* (paper mulberry) and beaten it." This woman had been fined twice for

adultery, but that may have been before the divorce, for she won permission. In one case the woman was described as "industrious, supported herself by washing and needlework for foreigners," and in another "she earns her own living by planting kalo."²⁹

In regard to the women's personal life, the testimony sometimes dealt with her religious attributes: "she became very pious, respectable in her mode of living," or "she and her parents live as becomes persons seeking a better life." Most often testimony related to her virtuous manner or conduct, as in, she lived a "chaste life"; "I know of her walk and conduct, it has been corect and proper"; "she lived carefully without problems"; she lived "quietly and decently"; a "proper virtuous woman"; a "sober, industrious, well conducted woman"; or "she has not gone about from place to place for amusement." Some witnesses discussed the woman's lack of present relationship with men, such as, "no new entanglements," "no report or gossip about her having had any lover" or even more bleakly "no man living with her or paying attention to her."³⁰

Only in one case does the testimony about a man deal with his personal deportment in the same way the women are discussed. In that case the witness said of the male petitioner, "I know nothing against his chastity or of his going after women." The witness was a judge and the petitioner a lawyer. It may have been felt that their profession required a standard equivalent to that for a Victorian woman.³¹

Following the increasingly more stringent pattern in the United States, procedures for divorce were made more difficult in 1870. A six-month interlocutory decree was required. These procedures increased the expense of getting a divorce so greatly that the newspaper complained that a poor person would be unable to afford one. At the same time a one year waiting restraint was instituted before the guilty party could remarry.³²

When Kalakaua came to the throne in 1874, the one year waiting period was repealed and the law reinstated which allowed both parties to remarry at any time after a divorce. Kalakaua as a child had seen his grandfather Kamanawa hanged on the wall of the Fort for murdering his grandmother in a desire to be free to marry again. Until the end of the monarchy, with Kalakaua and his sister Liliuokalani on the throne, there were no further remarriage restraints.³³

Restraints on remarriage fluctuated in Hawaiian law in the 19th Century. When the views of a Western molding elite prevailed, the restraints were strong; when Hawaiians view prevailed, the restraints were weakened or dispensed with entirely. Restraints to remarriage were

strongest when monogamous permanent marriage was a new social institution in Hawaii in the 1820s and 1830s. Then marriage was supported by laws based on the ideal Christian relationship interpreted from the Scriptures by the American Protestant missionaries. Guilt and innocence were assigned in a divorce and the opportunity to take another partner was narrowed to the one judged innocent. This was completely alien to the flexible, multiple relationships traditional in Hawaiian society. At the request of Kamehameha IV the legislature in the late 1850s lowered the barriers to remarriage in hope of revitalizing the Hawaiian race. The scriptural foundations of judgment were relaxed, but Westerners who were justices of the Hawaiian Supreme Court replaced them with standards based on their own sense of social propriety. It was only when Kalakaua, who had reason to dislike strict restraints on remarriage and who sought to revitalize cultural traditions of the Hawaiian past, came to the throne that remarriage restraints based on a Western value system were abolished.

NOTES

- ¹ Sheldon Dibble, *A History of the Sandwich Islands* (Honolulu: T. H. Thrum, 1909), p. 211.
- ² *Ibid.*
- ³ Levi Chamberlain Journal, 19 December 1824, HMCS typescript; Hiram Bingham, *A Residence of Twenty-One Years in the Sandwich Islands* (New York: Praeger, 1969), p. 183; MH, February 1829, p. 53; Chamberlain J., 21 October, 1823.
- ⁴ Chamberlain J., 23 November 1825.
- ⁵ Chamberlain J., 6 June 1825.
- ⁶ Chamberlain J., 3 March 1828.
- ⁷ Chamberlain J., 20 August 1825; MH, February, 1829, p. 53, and September, 1828, p. 275.
- ⁸ Minutes of General Meeting of the Sandwich Islands Mission, "Resolutions Respecting Marriages," 1826, pp. 41-42, HMCS.
- ⁹ Chamberlain J., 9 February 1827.
- ¹⁰ "Moe Kolohe," Early laws file, AH, typescript English trans.
- ¹¹ Kauikeaouli (The King), *Laws of the Sandwich Islands* (Oahu: Mission Press, 1835), sec. 6.
- ¹² Minutes of General Meeting, 1835, HMCS MS: "Resolved that Dr. Dwight's views of the subject of divorce as expressed in his System of Divinity be adopted as the views of this Association so far as our practice is concerned." For Dwight's views see Nelson M. Blake, *The Road to Reno* (New York: MacMillan Co., 1962), pp. 58-59.
- ¹³ Minutes of General Meeting, "Divorce," 1836, pp. 15-17.
- ¹⁴ IDM, 20 October 1840, AH.

- ¹⁵ *Fundamental Laws*, 1842, "Of the Duties of Husbands and Wives, and of Divorce," ch. X, sec. 7 (12 November 1840) (Honolulu: Holomua Publishing Company, 1894); Kekuanaoa to various persons, 17 August, 15 September, 9 and 17 November 1841, FO & Ex, AH.
- ¹⁶ *Fundamental Laws*, 1842, ch. X, sec. 5 and 6.
- ¹⁷ *Fundamental Laws*, 1842, ch. X, sec. 4 and 8.
- ¹⁸ SL 1843, paragraph 4, "Respecting Divorced Persons."
- ¹⁹ First Act to Organize the Executive, ch. IV, art. II, "Of Divorce and Separations;" Chief Justice, *Annual Report*, 1852, p. 113.
- ²⁰ SL 1847, Third Act to Organize the Judiciary, ch. IV, art. III, sec. VIII.
- ²¹ Letter, Lonoakeawe to Keoni Ana, 9 May 1850, IDM; Governor of Hawaii Letterbook, 26 December 1850; letter, George L. Kapeau to Keoni Ana, 30 September 1852, AH.
- ²² Governor of Hawaii Letterbook, 26 December 1850, AH.
- ²³ Letter, Lee to Richard Armstrong, 20 March 1853, Supreme Court Letterbook, AH; SL 1852, "To Amend the Law of Marriage and Divorce" (6 July 1852), sec. 1.
- ²⁴ Chief Justice, *Annual Report*, 1852, p. 113.
- ²⁵ SL 1853, "Act Relating to Divorces" (2 November 1853), sec. 11 and 22.
- ²⁶ SL 1856, "*E Ae I Ka Mare Hou Ana O Kekahi Poe I Okiia*" [To approve Remarriage for Some Divorced People] (22 June 1856), art. 1 and 2, trans. from Hawaiian by Esther T. Mookini.
- ²⁷ Robert C. Schmitt, *Historical Statistics of Hawaii* (Honolulu: Univ. of Hawaii Press, 1977), table 21, p. 34; Robert C. Lydecker, *Roster Legislatures of Hawaii, 1841-1918*, "His Majesty's Speech at the Opening of the Legislature," April 7, 1855 (Honolulu: The Hawaiian Gazette Co., Ltd., 1918), p. 59.
- ²⁸ *Civil Code of 1859*, sec. 1334; SL 1866 (24 May 1866), sec. 1; Remarriage petitions are numbered and filed as First Circuit divorce cases.
- ²⁹ First Circuit Divorce file, cases 1306, 1336, 2158, AH.
- ³⁰ First Circuit Divorce file, cases 751, 1451, 1377, 1444, 1686, 1823, 1930, 1914, 433, 1726, 2047, 1825.
- ³¹ First Circuit Divorce file, case 2157.
- ³² William L. O'Neill, *Divorce in the Progressive Era*, (New Haven: Yale Univ. Press, 1967); SL 1870, ch. XVI, sec. 8, 9, 2; PCA, 26 January 1878.
- ³³ SL 1874, ch. LI, sec. 1 and 2.